

UNITED STATES DISTRICT COURT  
DISTRICT COURT OF MARYLAND

KRAVITZ, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
COMMERCE, *et al.*,

Defendants.

Civil Action No. 8:18-cv-01041-GJH

Hon. George J. Hazel

**PLAINTIFFS' MOTION FOR LEAVE  
TO FILE A THIRD AMENDED  
COMPLAINT**

Plaintiffs respectfully move the Court, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, for leave to file an amended complaint, a copy of which is attached hereto as Exhibit 1. A redlined version of the proposed Third Amended Complaint that illustrates the changes from the Second Amended Complaint is attached hereto as Exhibit 2. The proposed Third Amended Complaint maintains the counts and allegations against the same defendants from the Second Amended Complaint but adds a claim that Defendants violated Plaintiffs' rights as guaranteed by the Due Process Clause of the Fifth Amendment. Pursuant to Local Rule 103.6(d), Plaintiffs attempted to obtain consent from Defendants, but Defendants did not consent.

For the reasons stated in the accompanying memorandum of law, Plaintiffs respectfully request that their motion for leave to file the proposed Third Amended Complaint be granted.

December 4, 2018

COVINGTON & BURLING LLP

By: /s/ Daniel Grant

Daniel Grant (Bar Number: 19659)  
Shankar Duraiswamy\*  
Dustin Cho\*  
Bianca Nunes\*  
Tina M. Thomas\*  
COVINGTON & BURLING LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, D.C. 20001-4956  
Tel: (202) 662-6000  
Fax: (202) 662-6302  
dgrant@cov.com  
sduraiswamy@cov.com  
dcho@cov.com  
bnunes@cov.com  
tthomas@cov.com

P. Benjamin Duke\*  
COVINGTON & BURLING LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
Tel: (212) 841-1000  
Fax: (212) 841-1010  
pbduke@cov.com

Lawrence A. Hobel\*  
COVINGTON & BURLING LLP  
One Front Street  
San Francisco, CA 94111-5356  
Tel: (415) 591-6000  
Fax: (415) 591-6091  
lhobel@cov.com

*Attorneys for Plaintiffs*

\* Admitted *pro hac vice*

**CERTIFICATE OF SERVICE**

I certify that on this 4th day of December, 2018, I caused a copy of the foregoing Motion for Leave to File a Third Amended Complaint and all accompanying filings to be sent to all parties receiving CM/ECF notices in this case.

COVINGTON & BURLING LLP

By: /s/ Daniel Grant

Daniel Grant (Bar Number: 19659)